



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michael A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger
Judith U. Kim
Timothy J. Shea, Jr.

Patrick E. Garrett
Jeffrey T. Helvey*
Heidi L. Kraus
Crystal D. Sayles
Edward W. Yee
Albert L. Ferno*
Donald R. Banowitz
Peter A. Jackman
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Albert J. Pasullo II*
Eldora Ellison Floyd
W. Russell Swindell
Thomas C. Fiala
Brian J. Del Buono*
Virgil Lee Beaston*
Reginald D. Lucas*

Kimberly N. Reddick
Theodore A. Wood
Elizabeth J. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cottingham*
Christine M. Lhuiler
Rae Lynn Prengaman*
Jane Shershenovich*
Lawrence J. Carroll*
George S. Bardmessner

Senior Counsel
Samuel L. Fox
Kenneth C. Bass III

Registered Patent Agents
Karen R. Markowicz
Andrea J. Kamage

Nancy J. Leith
Joseph M. Conrad III
Ann E. Summerfield
Helene C. Carlson
Gaby L. Longsworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Boris A. Matvenko
Mary B. Tung
Katrina Y. Pei
Bryan L. Skelton
Jason D. Eisenberg

M&S
*Admitted only in Maryland
*Admitted only in Virginia
*Admitted only in Texas

May 20, 2002

WRITER'S DIRECT NUMBER: (202) 371-2638

INTERNET ADDRESS: JSHERSHE@SKGF.COM

Commissioner for Patents
Washington, D.C. 20231

Box: Missing Parts

Re: U.S. Utility Patent Application
Appl. No. 10/050,047; Filed: January 17, 2002
For: **Methods of Increasing Hardness of Food Products**
Inventors: Egbert *et al.*
Our Ref: 1533.1510001/SRL/J-S

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated March 20, 2002, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17);
2. Copy of the Notice to File Missing Parts of Non-Provisional Application;
3. Original Declaration executed by Russ Egbert and Victor Lobo;
4. Original Declaration executed by Zhongli Pan;
5. Our Check No. 35223 for \$1,222.00 to cover:
\$740.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);
\$352.00 Fee for excess claims and multiple dependent claim fees (37 C.F.R. § 1.16);
\$130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16); and
6. A return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Commissioner for Patents
May 20, 2002
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Jane Shershenovich
Attorney for Applicants
Registration No. 48,841

SRL/J-S/tts
Enclosures

SKGF_DC1:15495.1

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1,222.00)

Complete if Known

| | |
|----------------------|----------------------|
| Application Number | 10/050,047 |
| Filing Date | January 17, 2002 |
| First Named Inventor | Russ Egbert |
| Examiner Name | To be assigned |
| Group Art Unit | 1761 |
| Attorney Docket No. | 1533.1510001/SRL/J-S |

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number **19-0036**
Deposit Account Name **Sterne, Kessler, Goldstein & Fox P.L.L.C.**

Charge Any Additional Fee Required
Under 37 CFR §§ 1.16 and 1.17

Applicant claims small entity status
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other*

*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

FEE CALCULATION

I. BASIC FILING FEE

| Large Entity Fee Code (\$) | Entity Fee (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description | Fee Paid |
|----------------------------|-----------------|----------------------------|-----------------|------------------------|----------|
| 101 | 740 | 201 | 370 | Utility filing fee | 740.00 |
| 106 | 330 | 206 | 165 | Design filing fee | |
| 107 | 510 | 207 | 255 | Plant filing fee | |
| 108 | 740 | 208 | 370 | Reissue filing fee | |
| 114 | 160 | 214 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)

740.00

2. EXTRA CLAIM FEES

| Extra | Fee from below | Fee Paid |
|---------------------------------|----------------------------|---------------|
| Total Claims <u>24</u> - 20** = | <u>4</u> X <u>18</u> = | <u>72.00</u> |
| Indep. Claims <u>3</u> - 3** = | <u>0</u> X <u> </u> = | <u> </u> |
| Multiple Dependent | <u>280.00</u> = | <u>280.00</u> |

| Large Entity Fee Code (\$) | Entity Fee (\$) | Small Entity Fee Code (\$) | Entity Fee (\$) | Fee Description |
|----------------------------|-----------------|----------------------------|-----------------|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 84 | 202 | 42 | Independent claims in excess of 3 |
| 104 | 280 | 204 | 140 | Multiple dependent claim |
| 108 | 84 | 209 | 42 | **Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

352.00

** or number previously paid, if greater. For Reissues, see above

3. ADDITIONAL FEES
Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee paid |
|----------|----------|----------|----------|--|----------|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 130.00 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 130 | 123 | 130 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 481 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify):

Other fee (specify):

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

130.00

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|--------------------|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Jane Shershenovich | Registration No. (Attorney/Agent) | 48,481 | Telephone | 202-371-2600 |
| Signature | | | | Date | May 20, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 mnac

#15601v1<SKGF_DC1> -fee transmittal for submission of response to NTFM.wpd

SKGF_DC1:15601.1